

Permitting and Assistance Branch Staff Report
New Major Waste Tire Facility Permit for
Azteca Internacional, Inc.
SWIS No. 19-TI-1539, TPID No. 1612658
June 22, 2012

Background Information, Analysis, and Findings:

This report was developed in response to a Major Waste Tire Facility Permit (WTFP) application received from the operator of Azteca Internacional, Inc., located at 9134-9138 Norwalk Boulevard, in the City of Santa Fe Springs (Los Angeles County). Azteca Internacional, Inc., operates in a 26,544 square foot building located within a Heavy Manufacturing (M-2) zone. No outside storage of tires will occur. The operator proposes to store no more than 40,000 waste and used tires on the premises.

An application for a Major WTFP was received by Permitting and Assistance Branch staff on April 16, 2012, which was accepted as complete on April 17, 2012. Pursuant to 14 CCR, Section 18425, CalRecycle has 180 calendar days from the date the application is accepted as complete to either issue or deny the issuance of a Major WTFP. CalRecycle is required to act by October 14, 2012.

Findings

Staff recommends approval of the issuance of the proposed permit. All of the required submittals and findings required by 14 CCR, Section 18431 have been met to support issuance. The findings that are required to be made by CalRecycle when reaching a determination are summarized in the table below. The documents on which staff's findings are based are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

The following table summarizes the staff's findings relative to the permit application:

	Findings	
Compliance with Tire Storage Standards, 14 CCR, Sections 17350-17356	Staff of the Waste Evaluation and Enforcement Branch (WEEB) conducted an inspection of the facility on April 24, 2012. See additional compliance information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR, Sections 18431(a) through (f)	All application forms were accepted by Permitting and Assistance Branch staff as complete on April 17, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Closure Costs and Financial Liability – 14 CCR, Section 18431 (g)	On March 7, 2012, staff from the Financial Assurances Section found that the Performance Bond in support of closure costs and the Certificate of Liability Insurance meets state requirements.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements 14 CCR, Section 18431(h)	<i>Local Vector Control:</i> The operator does not store waste tires outdoor, and is not required to obtain local vector control authority approval.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

	<i>Local Fire Authority:</i> The CalRecycle Indoor Local Fire Approval Form was signed by Mr. Brian Repararak, Fire Inspector II, with the Santa Fe Springs Department of Fire and Rescue, on November 17, 2011.	
California Environmental Quality Act (CEQA)	Staff of the Permitting and Assistance Branch found that the issuance of the Major Waste Tire Facility Permit is exempt by general rule from the requirements of CEQA. See additional CEQA information below.	<input checked="" type="checkbox"/> Acceptable Unacceptable
Reviewed by: CalRecycle Legal Office	June 22, 2012	
Waste Evaluation and Enforcement Branch	May 10, 2012	

Compliance History:

On March 23, 2012, CalRecycle staff issued a Clean Up and Abatement Order (CAO) to Azteca Internacional, Inc., and ordered the facility to reduce and maintain the number of waste tires onsite to 499 or less within 15 days from the date of the CAO. Staff of WEEB and of Permits and Assistance Branch conducted a pre-permit inspection on April 24, 2012, and found the facility to be in compliance with applicable state minimum standards and with the CAO.

Environmental Analysis:

Under the California Environmental Quality Act (CEQA), CalRecycle must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed Major WTFP before CalRecycle issues that permit. In this case, CalRecycle is a lead agency under CEQA and must make a determination as to whether this proposed permit is categorically or statutorily exempt or additional CEQA analysis is necessary in the form of a Negative Declaration or Environmental Impact Report.

The proposed WTFP is considered to be a project under CEQA [CEQA Guidelines 15378(a)(3)] and the facility is required to obtain a permit pursuant to 14 CCR Section 18420 for the storage of up to 40,000 waste and used tires.

The City of Santa Fe Springs, Planning Commission, approved and issued a Conditional Use Permit, No. 732, on April 9, 2012. The Conditional Use Permit allows for Azteca Internacional, Inc., to continue the operation and maintenance of a tire recycling facility within an M-2 zone. The facility is consistent with the City of Santa Fe Springs's zoning designation and General Plan.

Staff prepared a Preliminary Review to determine whether a general rule exemption is adequate for CalRecycle's approval of this Major WTFP. The Preliminary Review indicates that the proposed project:

- Involves the continued operation of an existing facility within the permitted land use;

- Involves no expansion of use beyond that existing at the time of permit issuance;
- Does not allow relaxation of standards leading to environmental degradation;
- Would have no significant environmental impacts; and
- There are no additional cumulative environmental impacts.

CalRecycle staff made the finding/determination that a General Rule Exemption, 14 CCR Section 15061 (b)(3), is appropriate for CalRecycle's issuance of this proposed Major WTFP in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Staff recommends that CalRecycle, acting as a lead agency under CEQA, prepare a Notice of Exemption, based on the General Rule Exemption, to be filed with the State Clearinghouse after CalRecycle's issuance of the Major WTFP, in that the proposed permit is to be issued to an existing facility that will not expand or significantly change its operations from what currently exists. Further, there are no grounds under CEQA for CalRecycle to prepare any additional environmental documents.

Staff further recommends the General Rule Exemption is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by CalRecycle includes the proposed Major WTFP and all of its components and supporting documentation, this staff report, the Notice of Exemption and other documents and material utilized by CalRecycle in reaching its decision on issuing this permit. The custodian of CalRecycle's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comment

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meetings on May 15, 2012 and June 19, 2012.

Attachment: Major WTFP